

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ROGER R. CRANE, JR,

Plaintiff,

- vs -

POETIC PRODUCTS LIMITED,

Defendant.

Case No. 07 Civ. 7063 (BSJ) (FM)

POETIC PRODUCTS LIMITED,

Counterclaimant,

**RESPONSE TO POETIC
PRODUCTS LIMITED'S RULE
56.1(b) STATEMENT**

- vs -

ROGER R. CRANE, JR,

Counterclaim Defendant.

Plaintiff-Counterclaim Defendant Roger R. Crane Jr. ("Crane"), pursuant to Local Rule 56.1, submits this response to Defendant Counterclaimant Poetic Products Limited's (Poetic Products") Local Rule 56.1(b) Statement of Additional Material Facts to Which There Exists a Genuine Issue, dated May 7, 2008:

1. Statement is not a statement of material fact as required by Local Rule 56.1(b) but a broad question of law.
2. Statement is not a statement of material fact as required by Local Rule 56.1(b) but a broad question of law. Statement improperly cites only to pleadings in violation of Local Rule 56.1(d) and Federal Rule of Civil Procedure 56(e).

3. Statement is not a statement of material fact as required by Local Rule 56.1(b) but several broad questions of law.

Dated: New York, New York
May 14, 2008

NIXON PEABODY LLP

By: /s/ Frank H. Penski
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